

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

PGI POLYMER, INC.,

Plaintiff,

v.

CHURCH & DWIGHT CO., INC. et al.

Defendants/Counterclaim
Plaintiffs.

Civil Action No.:
3:15-CV-0214
(FDW)(DSC)

DEFENDANTS' MOTION TO VACATE THE PRELIMINARY INJUNCTION

COME NOW, Defendants Church & Dwight Co., Inc., Karmin Industries, Karmin Group and BI-LO, LLC¹ (“Defendants”) who respectfully move the Court to lift the preliminary injunction. This case is not extraordinary, and Plaintiff cannot make the requisite “*clear showing*” that it is likely to succeed on the merits. Defendants are entitled to have the taint of a preliminary injunction order lifted.

WHEREFORE, Defendants respectfully request that the Court vacate the preliminary injunction.

¹ A preliminary injunction was not sought, or obtained against any of the other Defendants in this lawsuit.

This the 27th day of April, 2016

Respectfully submitted,

COLLEN IP

/s/ Jeffrey A. Lindenbaum

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Admitted Pro Hac Vice

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CERTIFICATE OF SERVICE

I hereby certify that on April 27, 2016, I electronically filed the foregoing “Defendants’ Motion to Vacate the Preliminary Injunction” with the Clerk of Court using the CM/ECF system. Service of the same on Plaintiff will be accomplished through the Notice of Electronic Filing, in accordance with LCvR 5.3.

/s/ Matthew J. Ladenheim

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